

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

1 Jan 27, 2025  
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SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JENNIFER A.,<sup>1</sup>

Plaintiff,

vs.

MICHELLE A. KING, ACTING  
COMMISSIONER OF SOCIAL  
SECURITY,<sup>2</sup>

Defendant.

No. 2:24-cv-00240-RHW

**ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g) AND CLOSING FILE**

**ECF Nos. 8, 14**

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 14, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. §

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<sup>1</sup> To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

<sup>2</sup> Pursuant to Federal Rule of Civil Procedure 25(d), Michelle King, Acting Commissioner of Social Security, is substituted as the named Defendant.

1 405(g). Attorney Chad Hatfield represents Plaintiff. Attorney W. Brian Jones  
2 represents Defendant.

3 After consideration, **IT IS HEREBY ORDERED** that:

4 1. The parties' Stipulated Motion for Remand, **ECF No. 14**, is **GRANTED**.  
5 2. The above-captioned case be **REVERSED** and **REMANDED** to the  
6 Commissioner of Social Security for further administrative proceeding pursuant to  
7 sentence four of 42 U.S.C. § 405(g).

8 The parties have stipulated to the following instructions. On remand, the  
9 Appeals Council will instruct the ALJ to:

- 10 • Further consider the medical opinions;  
11 • Further consider the severity of Plaintiff's medically determinable  
12 impairments;  
13 • Offer Plaintiff the opportunity for another hearing;  
14 • Take further action to complete the administrative record; and  
15 • Issue a new decision.

16 See ECF No. 14 at 2.

17 3. Judgment shall be entered for **PLAINTIFF**.  
18 4. Plaintiff's Motion for Summary Judgment, **ECF No. 8**, is  
19 **STRICKEN AS MOOT**.

1       5. Upon proper presentation, the Court will consider Plaintiff's  
2 application for fees and expenses under the Equal Access to Justice Act, 28 U.S.C.  
3 § 2412(d).

4       6. The District Court Executive is directed to update the docket sheet to  
5 reflect the substitution of Michelle King, Acting Commissioner of Social Security,  
6 as Defendant.

7              The District Court Executive is directed to enter this Order, **enter Judgment**  
8 **in favor of Plaintiff**, forward copies to counsel, and **CLOSE THE FILE**.

9              DATED January 27, 2025.

10                          *s/Robert H. Whaley*  
11                          ROBERT H. WHALEY  
12                          Senior United States District Judge